

Notice of Allowability

Application No.

09/812,417

Examiner

Cao (Kevin) Nguyen

Applicant(s)

BURNHOUSE ET AL.

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/03/05.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 09/23/01.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Cao (Kevin) Nguyen
Primary Examiner
Art Unit: 2173

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-28 are allowed over the prior art of record.

Applicant has claimed uniquely distinct features in the instant invention which are not found in the prior art either singularly or in combination. They are a method for indicating future program action on a future program information display comprising providing future program information for a plurality of future programs, at least one future program being selected by a user; providing, on a future program actions menu, a plurality of future program actions for the selected future program, at least one future program action being selected by the user, each future program action being an action selected to be performed on a future program; receiving the selected at least one future program and the selected at least one future program action from the user; and displaying the future program information of the selected at least one future program with an indicator such that the indicator indicates the selected at least one future program action. These features are not found or suggested in the prior art.

The present invention is directed to providing, on a future program actions menu, a plurality of future program actions for the selected future program, at least one future program action being selected by the user, each future program action being an action selected to be performed on a future program; receiving the selected at least one future program and the selected at least one future program action from the user; and displaying the future program information of the selected at least one future program with an indicator such that the indicator indicates the selected at least one future program action. Each independent claim is identified

Art Unit: 2173

the uniquely distinct features "each future program action being an action selected to be performed on a future program; receiving the selected at least one future program and the selected at least one future program action from the user; and displaying the future program information of the selected at least one future program with an indicator such that the indicator indicates the selected at least one future program action." The closest prior art, Davis discloses a conventional video display generator means coupled to said data processing means and said storage means for receiving said video display control commands from said data processing means, and generating a display signal comprising said predetermined hint in partial overlaying relationship with said information screen; either singularly or in combination, fail to anticipate or render the above underline limitation obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

Art Unit: 2173

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

02/18/05